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April 27, 2006

Felipe Raguinden
Fed Reg. No. 91108-22
FCI Lompoc
3600 Guard Road
Lompoc, California 93436

Re: USA v. Domanguera, CR 04-00061 JMS-02

Dear Felipe,

This letter is in response to your letter dated March 20, 2006. No Notice of Appeal was filed in your case for the following reasons.

On October 17, 2005, you were sentenced to 108 months of imprisonment, among other things. This sentence reflected the low end of the guideline range for level 31, criminal history category 1. There was no departure either above or below the guideline range.

According to your plea agreement filed January 28, 2005, you waived your right to appeal any sentence within the maximum provided by the statutes or the manner in which the sentence was determined, or on any ground whatever, except if the court imposed a sentence greater than specified in the guideline range. See paragraph 12 of the plea agreement.

Because your sentence was within the maximum provided by the statutes, and because it was within the guideline range, you have no right to appeal.

Finally, you did not indicate at the sentencing, or immediately thereafter, that you wished to appeal. Only by your letter of March 20, 2006, was I first informed of this. However, as mentioned above, you have waived your right to appeal because the sentence was within the statutory maximum, because you cannot appeal the manner in which the sentence was determined, and because the sentence was not greater than the guideline range.

If you wish for me to withdraw from your case, please let me know and I will file the appropriate motion.

Sincerely,


Brandon Flores